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E-Filed on 7/30/2007

8 UNITED STATES BANKRUPTCY COURT
 9 DISTRICT OF NEVADA

10 In re:

11 USA COMMERCIAL MORTGAGE
 COMPANY,

13 USA CAPITAL REALTY ADVISORS,
 LLC,

14 USA CAPITAL DIVERSIFIED TRUST
 DEED FUND, LLC,

16 USA CAPITAL FIRST TRUST DEED
 FUND, LLC,

17 USA SECURITIES, LLC,

18 Debtors.

Case No. BK-S-06-10725-LBR
 Case No. BK-S-06-10726-LBR
 Case No. BK-S-06-10727-LBR
 Case No. BK-S-06-10728-LBR
 Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.
 BK-S-06-10725-LBR

**Notice to Malcolm Jr. & Joan B.
 Telloian of the USACM Liquidating
 Trust's Objection to Claim and
 Motion For Summary Judgment**

19 Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

24 **NOTICE IS HEREBY GIVEN** to Malcolm Jr. & Joan B. Telloian that on July 30,
 25 2007, the USACM Liquidating Trust (“USACM”) filed an objection to Claim No(s).
 26 10725-02465 (the “Objection”) and a Motion for Summary Judgment (the “Motion”) on
 27 those same claim(s). Along with this notice, USACM is serving Malcolm Jr. & Joan B.
 28 Telloian with a copy of both the Objection and the Motion.

1 Malcolm Jr. & Joan B. Telloian filed Proof of Claim No(s). 10725-02465, which
 2 asserted priority claim(s) against USA Commercial Mortgage Company. The Objection
 3 and the Motion dispute the assertion of priority claim status and ask the Court to reclassify
 4 your claim(s) as a general unsecured claim. This is not an objection to your claim as a
 5 direct lender or to the security interest you as a direct lender have in your borrowers'
 6 property as collateral.

7 **PLEASE DO NOT CONTACT THE CLERK OF THE COURT OF THE**
 8 **BANKRUPTCY COURT TO DISCUSS THE MERITS OF YOUR CLAIM.**
 9 **QUESTIONS REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A**
 10 **CLAIM SHOULD BE DIRECTED TO BMC GROUP AT 888-909-0100,**
 11 **WWW.BMCGROUP.COM/USACMC, OR TO UNDERSIGNED COUNSEL.**

12 **NOTICE IS FURTHER GIVEN** that any opposition to the Objection/Motion
 13 must be filed pursuant to Local Rule 9014(d)(1). If you do not want the Court to grant the
 14 relief sought in the Objection/Motion, or if you want to explain why you believe your
 15 claim(s) are priority claim(s) or otherwise want the Court to consider your views on the
 16 Objection/Motion, then you must file an opposition to the Motion with the Court, and
 17 serve a copy on the USACM Liquidating Trust **NO LATER THAN AUGUST 17, 2007.**
 18 The opposition must state your position, set forth all relevant facts and legal authority,
 19 provide relevant documents that support your claim to priority status, and be supported by
 20 affidavits or declarations that conform to Local Rule 9014(c).

21 If you object to the relief requested in the Objection/Motion, you *must* file a
 22 **WRITTEN** response to this pleading with the Court. You *must* also serve your
 23 written response to the person who sent you this notice.

24 If you do not file a written response with the Court, or if you do not serve your
 25 written response on the person who sent you this notice, then:

- 26 • The Court may *refuse to allow you to speak* at the scheduled hearing; and
- 27 • The Court may *rule against you* without formally calling the matter at the
 28 hearing.

1 **NOTICE IS FURTHER GIVEN** that the hearing on the Objection/Motion will be
2 held before a United States Bankruptcy Judge, Courtroom No. 1, Foley Federal Building,
3 300 Las Vegas Boulevard South, Las Vegas, Nevada 89101 on **October 15, 2007** at the
4 hour of **9:30 a.m.** The hearing may be continued from time to time with notice to the
5 parties appearing.

6 || Dated July 30, 2007.

LEWIS AND ROCA LLP

By /s/ RC (#6593)
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